

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 88-80251

v.

Honorable John Corbett O'Meara

ROYAL HATTEN, JR., a/k/a UNOSEAY
MAHONE,

Defendant.

ORDER DENYING MOTION FOR EXPUNGEMENT

This matter came before the court on Unoseay Mahone's November 7, 2016 motion for expungement. The government filed a response March 3, 2017. No reply was filed, and no oral argument was heard.

On January 30, 1989, Mahone pleaded guilty to one count of Conspiracy to Possess with Intent to Distribute Controlled Substances. He was sentenced to a term of three years' imprisonment. Mahone completed his term of incarceration, as well as his supervised release. He has no known convictions or further offenses.

On November 7, 2016, Mahone filed a motion to expunge his record. However, the United States Court of Appeals for the Sixth Circuit has held that a district court

is without jurisdiction to expunge the record of a defendant's arrest or conviction.

United States v. Lucido, 612 F.3d 871 (6th Cir. 2010).

Mahone states that since his release he has not had any contact or trouble with law enforcement, that he is married, and that he and his wife have become disabled. He expresses his desire to live out his life keeping his record clean.

Although the court is pleased that Mahone has turned his life around and hopes he continues on that path, the court is without jurisdiction to provide him the relief he seeks. Accordingly, it is hereby **ORDERED** that his motion for expungement is **DENIED**.

s/John Corbett O'Meara
United States District Judge

Date: March 27, 2017

I hereby certify that a copy of the foregoing document was served upon the parties of record on this date, March 27, 2017, using the ECF system and/or ordinary mail.

s/William Barkholz
Case Manager